IN THE HIGH COURT OF JUDICATURE AT PATNA
FA No.36 of 1976
SATYENDRA KUMAR SINGH
Versus
SMT. SAIL KUMARI DEVI & ORS
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26 5.9.2008 **I.A. No. 2640 of 2008:**

This application has been filed for substituting the heirs of respondent no.2 who died on 2.3.2008 who are described at paragraph 1 of the interlocutory application . It is stated that to the knowledge of the appellant there are no other legal heirs.

The substitution petition is within time. It is accordingly allowed.

It is stated in the office note that the heirs have already appeared by filing vakalatnama. As such there is no need to issue notice on the heirs.

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I.A. No. 5112 of 2008:

By way of this interlocutory application a compromise petition has been filed by the appellant and the respondents in which there is a prayer that the suit may be disposed of in terms of the compromise petition.

Both the parties have sworn affidavits and signed on the compromise petition (I.A. No. 5112 of 2008). The office is directed to prepare a final decree and include the terms of the compromise in the final decree. The suit is thus disposed of in terms of the compromise petition. The compromise will form part of the final decree.

The first appeal is disposed of.

haque **(Sheema Ali Khan, J.)**